UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON

ROBERT WHEELER,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

Defendant.

Case No. C16-1120-RBL-JPD

REPORT AND RECOMMENDATION

Plaintiff brought this action to seek judicial review of the denial of his application for disability benefits by the Commissioner of the Social Security Administration. Dkt. 3. The parties have stipulated that this case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 15.

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings before an Administrative Law Judge ("ALJ"), including a de novo hearing and a new decision. On remand, the ALJ shall reevaluate the medical opinion evidence, including the opinion of Dr. Russell. The ALJ shall also conduct a proper DA&A analysis in accordance with SSR 13-2p.

REPORT AND RECOMMENDATION

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Upon proper application, the Court will consider whether reasonable attorney's fees and costs should be awarded pursuant to 28 U.S.C. § 2412(d).

Because the parties have stipulated that the case be remanded as set forth above, the Court recommends that United States District Judge Ronald B. Leighton immediately approve

this Report and Recommendation. The Clerk should note the matter for **December 21, 2016** as ready for Judge Leighton's consideration. A proposed order accompanies this Report and Recommendation.

DATED this 21st day of December, 2016.

AMES P. DONOHUE

Chief United States Magistrate Judge

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